

has the burden of explaining why each group lacks unity with each other group specifically describing special technical features in each group (MPEP § 1893.03(d)).

The Office has asserted that Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 because under PCT Rule 13.2, they lack the same or corresponding technical features. The examiner states:

“the special technical feature of the mass per unit area of the mat varying by less than 20% over the surface of the mat is common to Group II but not to Group I and therefore the two groups lack the same special technical feature.”

Annex B of the Administrative Instructions under the PCT at (b) Technical Relationship states:

“The expression “special technical features” is defined in Rule 13.2 as meaning those technical features that defines a contribution which each of the inventions, considered as a whole, makes over the prior art. The determination is made on the contents of the claims as interpreted in light of the description and drawings (if any).”

Applicants respectfully submit that the Examiner has not provided any indication that the contents of the claims interpreted in light of the description was considered in making the assertion of a lack of unity. The specification on page 8, lines 27-28, indicates that the invention “allows the industrial manufacture of a chopped strand mat having a uniform mass per unit area of generally between 50 and 1100 g/m<sup>2</sup> . . . “ and “ is very uniform, which means that its **mass per unit area may vary by less than 20%.**”

Applicants respectfully submit that Group I is drawn to a process of making a product and Group II is the product.

Moreover 37 C.F.R. § 1.475(b) states in pertinent part:

“An international or a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn only to one of the following combinations of categories:

(1) A product, a process specially adapted for the manufacture of the said product, . . .”

Applicants respectfully submit that the Examiner has not considered the relationship of the inventions of Groups I, and II with respect to MPEP § 1893.03(d) or 37 C.F.R. § 1.475(b)(1) and therefore has not met the burden necessary according to MPEP § 1893.03(d) to sustain the conclusion that the groups lack of unity of invention. For this reason, Applicants submit that the Requirement for Restriction should be withdrawn.

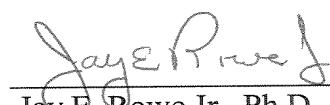
Applicants respectfully traverse the Restriction Requirement on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of lack of unity of invention.

For the reasons presented above, Applicants submit that the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits and early notice of such action is earnestly solicited.

Respectfully submitted,

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